



Receipt

Dkt. 59597-E/JPW/FHB

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Neil T. Parkin and Rainer A. Ziermann
U.S. Serial No.: 09/874,472
Filed : June 4, 2001
For : MEANS AND METHODS FOR MONITORING PROTEASE
INHIBITOR ANTIRETROVIRAL THERAPY AND GUIDING
THERAPEUTIC DECISIONS IN THE TREATMENT OF
HIV/AIDS

1185 Avenue of the Americas
New York, New York 10036
December 18, 2002

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

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JAN 08 2003

TECH CENTER 1600/2900

Sir:

COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT

This Communication is filed to request the issuance of a corrected Filing Receipt in connection with the above-identified application. Upon receipt of the official Filing Receipt for the subject application, a copy of which is attached hereto as **Exhibit A**, applicants' undersigned attorney noticed an error.

Specifically, Domestic Priority data is incorrectly listed.

A corrected Filing Receipt should read as follows:

--Domestic Priority data as claimed by applicant
This application is a CIP of 09/766,344 01/19/01--

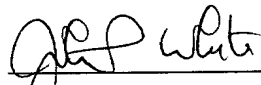
Applicants : Neil T. Parkin and Rainer A. Ziermann
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Applicants contend that the correct data may be found in the Declaration and Power of Attorney filed November 16, 2001 in connection with the subject application. A copy of the Declaration and Power of Attorney is attached hereto as **Exhibit B**. Accordingly, applicants request that a corrected Filing Receipt be issued.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

Respectfully submitted,

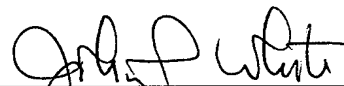
I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Office of Initial Patent Examination Customer Service Center Washington, D.C. 20231.



John P. White
Reg. No. 28,678

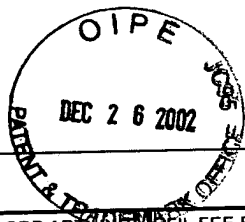
Date

12/18/02



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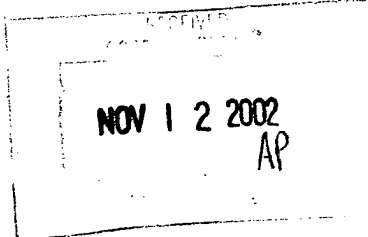
JPW



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Washington, DC 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/874,472 ✓	06/04/2001	1645	3241	59597- E/JPW/AJM/DRM	50	129	49

John P. White
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, NY 10036



CONFIRMATION NO. 9210

UPDATED FILING RECEIPT



OC00000009084885

Date Mailed: 11/08/2002

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Neil T. Parkin, Belmont, CA; ✓
Rainer A. Ziermann, San Mateo, CA;

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Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/16/2001

Projected Publication Date: → 02/20/2003

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ******Title**

Means and methods for monitoring protease inhibitor antiretroviral therapy and guiding therapeutic decisions in the treatment of HIV/AIDS ✓

Preliminary Class

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

As a sole named inventor, I hereby declare that:

As a ~~sole~~ named inventor, I hereby declare that:
My residence, post office address, and citizenship are as stated below next to my name.
(If only one name is listed below) or and

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MEANS AND METHODS FOR MONITORING PROTEASE INHIBITOR
ANTIRETROVIRAL THERAPY AND GUIDING THERAPEUTIC DECISIONS IN THE
TREATMENT OF HIV/AIDS

the specification of which:
(check one)

JAN 08 2003

is attached hereto.

X was filed on June 4, 2001 TECH CENTER 1600/2900 as

Application Serial No: 09/874,472

and was amended _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

[illegible]

Declaration and Power of Attorney

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/766,344	January 19, 2001	Pending

And I hereby appoint

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (40,837); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923) and Raymond A. Diperna (Reg. No. 44,063).

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Declaration and Power of Attorney

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Please address all communications, and direct all telephone calls, regarding this application to:

John P. White _____ Reg. No. 28,678
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Neil T. Parkin

Inventor's signature Neil T. Parkin

Citizenship CANADIAN ~~United States of America~~ *Date of signature* 7/18/01

Residence 1938 Bayview Avenue Belmont, California 94002

Post Office Address Same As Above

Full name of joint inventor (if any) Rainer A. Ziermann

Inventor's signature Rainer Ziermann

Citizenship United States of America *Date of signature* 7/19/01

Residence 3908 Leona Street San Mateo, California 94403

Post Office Address Same As Above

Full name of joint inventor (if any) _____

Inventor's signature _____

Citizenship _____ *Date of signature* _____

Residence _____

Post Office Address _____